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MEMO ENDORSED

Heidi L. Keefe
T: +1 650 843 5001
hkeefe@cooley.com

VIA FACSIMILE

October 11, 2012

The Honorable P. Kevin Castel
Daniel Patrick Moynihan
United States Courthouse
Courtroom 12C
500 Pearl St.
New York, NY 10007-1312

*All Final Pretrial
Submissions are due
November 30.*

RE: Wireless Ink Corp. v. Facebook, Inc., et al., Case Nos. 10-cv-1841 and 11-cv-1751

Dear Judge Castel:

Plaintiff Wireless Ink Corp. and Defendants Facebook, Inc., Google Inc., and YouTube, LLC write to seek clarification of the current schedule in this action with regard to the parties' Final Pretrial Submission. The parties' understanding from the last status conference with the Court was that the parties would discuss the scheduling of pretrial related dates at the next status conference, currently set for November 2, 2012. The original scheduling order for these combined cases called for the filing of the Final Pretrial Submission thirty days after the close of expert discovery, which would be October 29, 2012. In light of later orders and discussion of the schedule at the most recent status conference, there is some uncertainty as to this October 29 Final Pretrial Submission Date. The parties therefore request confirmation that this date is vacated pending a schedule to be determined at the November 2 conference.

To the extent the Court's understanding is different, the parties respectfully request a month's extension to November 30, 2012.

Sincerely,

THE PITCOCK LAW GROUP

WHITE & CASE LLP

By: /s/ Jeremy S. Pitcock (with
permission)

Jeremy S. Pitcock (JP-4954)
1501 Broadway, 12th Floor
New York, NY 10036
(646) 571-2237

By: /s/ Kevin X. McGann (with permission)

Kevin X. McGann
Aaron Chase
1155 Avenue of the Americas
New York, New York 10036
Telephone: (212) 819-8200
Facsimile: (212) 354-8113
**Attorneys for Google Inc. and YouTube,
LLC**



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Of Counsel:

STEVENS LAW GROUP

David R. Stevens (admitted *pro hac*
vice)

1754 Technology Drive, Suite 226
San Jose, California 95110
(408) 288-7588

BANIE & ISHIMOTO LLP

Jennifer L. Ishimoto (admitted *pro hac*
vice)

1999 S. Bascom Ave., Suite 700
Campbell, CA 95008
(650) 549-5652

REYES | BROWNE | REILLEY

Papool S. Chaudhari (admitted *pro hac*
vice)

5950 Berkshire Lane, Suite 410
Dallas, TX 75225
(214) 526-7900

Attorneys for Wireless Ink Corporation

COOLEY LLP

By: /s/ Heidi Keefe

Heidi Keefe (admitted *pro hac vice*)

Mark Weinstein (admitted *pro hac vice*)

5 Palo Alto Square

Palo Alto, CA 94306

Telephone: (650) 843-5000

Facsimile: (650) 849-7400

Attorneys for Facebook, Inc.